

AO 91 (Rev. 02/09) Criminal Complaint

UNITED STATES DISTRICT COURT
for the
Southern District of Texas

United States of America)
v.
Geronimo MARQUEZ)
YOB: 1995/ COB: United States)

) Case No. 7:18 MJ 2558

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 08/17/2018 in the county of Hidalgo in the Southern District of Texas, the defendant violated Title 18 U. S. C. § 924(a)(1)(A), an offense described as follows:

Whoever, knowingly makes any false statement or representation with respect to the information required to be kept in the records of a federal firearms licensee.

This criminal complaint is based on these facts:

SEE ATTACHMENT A

Continued on the attached sheet.

Submitted by reliable electronic means,
Sworn to and attested to telephonically
per Fed. R.Cr.P. 4.1, and probable cause
found on:

Sworn to before me and signed in my presence.

Date: 12/14/18 - 7:07 p.m.

City and state: McAllen, TX

S/ Candace Garza
Complainant's signature

Candace Garza, ATF Special Agent
Printed name and title


Judge's signature

Juan F. Alanis, U.S. Magistrate Judge
Printed name and title

ATTACHMENT A

This affidavit is in support of a criminal complaint charging Geronimo MARQUEZ hereinafter referred to "MARQUEZ", with the criminal violation set forth in Attachment A. The evidence available to me demonstrates that there is probable cause that MARQUEZ has violated Title 18 U.S.C. Section 924(a)(1)(A) which provides as follows: Whoever, knowingly makes any false statement or representation with respect to the information required to be kept in the records of a federal firearms licensee (FFL).

Further, the Affiant states as follows:

On or about December 11, 2018, your affiant discovered MARQUEZ had previously purchased three (3) Glock, model 42, .380 caliber pistols in August 2018 from FFL's located in Hidalgo County. A canvass of FFL's revealed MARQUEZ purchased an additional five (5) firearms from June 2018 through September 2018. ATF Form 4473s were obtained for the aforementioned purchases and discovered the listed address for MARQUEZ was located in Palmview, TX. Agents attempted to make contact with MARQUEZ at the location listed on the ATF Form 4473s and discovered that MARQUEZ did not live at that location.

On December 14, 2018, Agents made contact with MARQUEZ and was subsequently interviewed.

During a Post-Miranda interview of MARQUEZ, MARQUEZ stated he had never resided at the address listed on the ATF Form 4473s. MARQUEZ admitted to living at a residence in McAllen, TX when he purchased the eight (8) firearms. MARQUEZ further stated he did not live in Palmview, TX when he filled out the ATF Form 4473 question #2, which asks the purchaser to state their current state of residence and address, when he (MARQUEZ) purchased a Glock, model G42, .380 AUTO caliber pistol on August 17, 2018 from Federal Firearms Licensee (FFL) Glick Twins located in Pharr, TX.

Your affiant knows that FFLs are required to keep the ATF Form 4473 (Firearms Transaction Record) which is completed by the purchaser, which includes information regarding the name, age, current residence of the purchaser, and the purchasers certification that he or she is not prohibited from possessing firearms. Furthermore, the purchaser must certify that their answers on ATF Form 4473 are true, correct and complete.

Moreover, the ATF Form 4473 also warns the buyer that making a false statement on the ATF Form 4473 is a felony offense. Lastly, any false statement or representation made on ATF Form 4473, which is information required to be kept in the records of a federal firearms licensee, is a violation of 18 USC 924(a)(1)(A).

As a result, on or about August 17, 2018, Geronimo MARQUEZ knowingly made a false statement on ATF Form 4473 when he indicated that his residence was in Palmview, TX when in fact he did not reside at the residence at the time he certified that the information on the ATF Form 4473 was true and correct.